



CV10000036-00-00

8-16

VIRGINIA: IN THE CIRCUIT COURT FOR THE COUNTY OF YORK AND  
CITY OF POQUOSON

NORMAN B. PULLIAM and  
KATRINA L. PULLIAM,

Petitioners.

Case No. 08-1867

In Re: York County Chesapeake Bay Preservation Act Appeal 08-0114, 108 Anchor Lane

**CONSENT ORDER OF REMAND**

ON THIS date there appeared before this Court the Petitioners, Norman B. Pulliam and Katrina L. Pulliam, by counsel, and the York County Chesapeake Bay Board, by their respective counsel, moving this Court to continue generally the trial in this matter now scheduled for January 6, 2010, pending a remand of this matter to the York County Chesapeake Bay Board for a rehearing on the Petitioners' exception application to the Board to allow the construction of a 4.5 foot wide path of an interlocking paver material within the Chesapeake Bay Resource Protection Area (RPA), which the Board heard on June 12, 2008; and it appearing that the ends of justice will be served thereby, and that the parties have agreed to the terms of this Order, it is hereby

**ORDERED** as follows:

1. The hearing in this matter now scheduled for January 6, 2010, at 9:00 a.m., is continued generally, subject to the parties' right to reschedule this matter for a hearing at a later date in accordance with this Court's established procedures.

2. The York County Chesapeake Bay Board is **ORDERED** to reopen the public hearing previously held on June 12, 2008, in Chesapeake Bay Application No. 08-114, requesting an exception from Section 23.2-9 (d) (2) of the York County Chesapeake

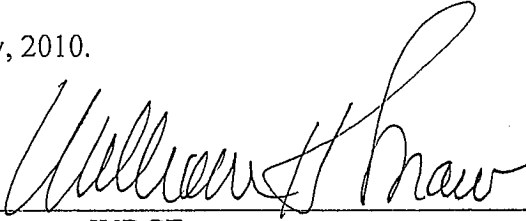
Bay Preservation Areas Ordinance in order to allow construction of a 4.5' wide walkway constructed of interlocking concrete pavers in the 100 foot RPA along Boathouse Creek on property located at 108 Anchor Lane in York County. At such rehearing, the Petitioners shall be entitled to present such additional evidence as they desire in support of their application.

3. Norman and Katrina Pulliam shall pay the pro-rated cost of the newspaper advertisement of any required public notice for the reopened public hearing, to be apportioned on the basis of the number of hearings being advertised for that same evening.

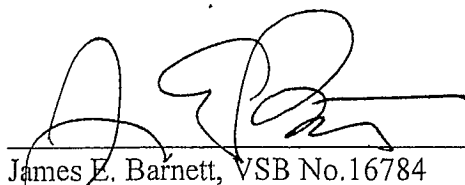
4. This matter is continued on the docket subject to further order from this Court.

The Clerk is **DIRECTED** to mail a copy of this Order to all parties.

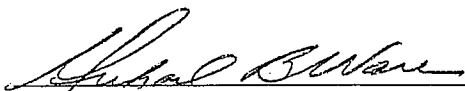
**ENTERED** this 7<sup>th</sup> day of January, 2010.

  
JUDGE

WE ASK FOR THIS:



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County of York  
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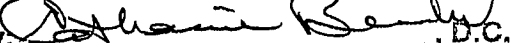
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*Counsel for Petitioners*

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A COPY TESTE:

Lynn S. Mendibur, Clerk

York Co. – Poquoson, VA Circuit Court

By: , D.C.